

"APPROVED 3/11/10"

**BOROUGH OF WESTWOOD
PLANNING BOARD MINUTES
PUBLIC MEETING AGENDA
REGULAR MEETING
JANUARY 28, 2010**

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Planning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

PRESENT: Mayor Birkner (arrived 8:52 pm)
William Martin
Thomas Constantine
Ann Costello
Richard Bonsignore
James Schluter, Vice-Chairman
Philip Cerruti
Daniel Olivier (Alt. #1)
Otokar von Bradsky (Alt. #2)

ALSO PRESENT:

Thomas Randall, Esq., Board Attorney
Ed Snieckus, Burgis Associates, Board Planner
Louis Raimondi, Brooker Engineering,
Board Engineer

ABSENT: Jaymee Hodges, Chairman (excused absence)
Councilwoman Cynthia Waneck (excused absence)

4. MINUTES: The Minutes of **1/7/10** were tabled to the next meeting on motion of Ann Costello, seconded by William Martin and carried on roll call vote.

5. CORRESPONDENCE:

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1. Memo from Robert S. Hoffman, Borough Administrator, dated 1/11/10, RE: Property Maintenance, Zoning and Tenant Registration Changes;

2. Report from Louis Raimondi, Brooker Engineering, dated 1/21/10, RE: New York SMSA Limited Partnership(d/b/a Verizon Wireless);

3. Report from Louis Raimondi, Brooker Engineering, dated 1/26/10 RE: Verizon Wireless;

4. Letter from Thomas Randall, Esq. dated 1/21/10, RE: Westwood Regional School District-Ketler Bus Loop;

5. Memo from Linda Koch, dated 1/28/10, RE: Delinquent Escrow Accounts, listing Diamond Financial as deficient;

6. Letter from Paul Kaufman, Esq., dated 1/25/10, RE: Diamond Financial;

6. RESOLUTIONS: None

7. VOUCHERS: A motion to approve the list of Vouchers as amended, totaling \$793.45, was made by Mr. Bonsignore, seconded by Mr. Cerruti and carried unanimously. The vouchers of Russell R. Huntington, Esq. in the amount of \$345.00 for Dr. Goldberg Childcare Center, and Boswell Engineering for DLZ \$312 and Oak Realty \$161. were removed, since they do not pertain to the Planning Board.

8. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS:

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS
The Board Professionals were sworn in

1. Verizon Wireless - One Westwood Ave, Block 907, Lot 9-Application for Minor Site Plan Approval with Variances for Proposed Rooftop Wireless Communications Facility - David H. Soloway, Esq. represented the applicant. A court reporter from Precision Reporting was present. Mr. Soloway gave an overview of the application, to relocate its wireless facility on the rooftop of the existing building. The site is currently a four-story commercial building, housing the Bank of America. The site is located in the CBD and CBD/SPE Zone and is a permitted

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use; however, they need variance relief for rooftop antennas for height and footprint, since they are seeking to put the antennas on the rooftop and not on the ground surface adjacent to the structure. Screening of the equipment is also proposed to lessen any visual impacts. The criteria is met for C2 variance, because the benefits outweigh any detriments. They are proposing four witnesses. New York SMSA Limited Partnership is the legal entity that provides service in this area, but does business under its trade name, Verizon Wireless.

Aldrich Gamboa, Radio Frequency Engineer, First witness, expert in the design of Verizon Wireless network communications and sites was sworn in, qualified and accepted. Mr. Martin had questioned whether he was licensed and the response was there is no license required in the State of NJ. Mr. Soloway questioned the witness, who testified that he visited the site and was familiar with the coverage layout. He explained the need for this coverage and produced an Exhibit marked A1, which was a Frequency Map. This spot was necessary for 1,900 frequency.

Mr. Raimondi asked if any other carriers could be added, but Mr. Gamboa noted they needed horizontal separation. Mr. Snieckus had a brief question, which would be answered by the next witness. Mr. Martin questioned how much coverage is necessary when they actually have signals and suggested the Board, at the expense of the applicant, hire a radio frequency expert to verify the testimony. The map is usually in multiple colors, and the exhibit presented may be misleading, since it shows very little color as gaps in coverage. A discussion ensued. Attorney Soloway commented Verizon is licensed for the 800 and 1,900 frequency.

Mayor Birkner arrived at 8:50 p.m. Questions by Board Members followed. Mr. Constantine questioned other providers, and Mr. Gamboa explained up to six blocks for providers are on the 1,900 frequency. The Board had significant concerns about safety issues and environmental impact. Mr. Bonsignore recalled this was being done on the roof of the hospital. They had three carriers, and when asked about interference, it was stated there would be none. Here he understood it had to be isolated. Mr. Soloway explained as far as vertical separation, it would not be applicable to a building like this. As far as horizontal separation, there had to be separation and carriers who could not be on the same pole as Verizon Wireless. Mr. Bonsignore

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continued and asked if Hillsdale and Emerson were also on the map, and if they are all equal to the proposed frequency. Mr. Gamboa said yes, but they were monopoles. Mr. Bonsignore asked in the absence of this pole, if the only inconvenience for a resident of the Borough is a drop of the call. Mr. Gamboa said they, Verizon, are required by the FCC to cover as much area as they can or they can lose the license. Mr. Olivier asked what they would have to do if they did not get this building. Mr. Gamboa responded they would have to take a close look and search. They do not have an alternate plan yet. Mr. Olivier asked who owns the equipment and building. Mr. Soloway explained the building is owned by Westwood One, and the equipment is owned by Verizon Wireless.

Mr. Schluter commented in light of all the Board's questions of Mr. Gamboa, he was leaning toward the suggestion of Mr. Martin to hire a radio frequency expert hired by the Board and paid for by the applicant.

Mr. Snieckus noted many times there is an RF Report regarding coverage analysis, and if the applicant had something to provide to the expert, that would be beneficial. Mr. Soloway agreed. There were no further questions of this witness.

Paul Dugan, Professional Engineer, Millennium Engineering, PC, 303 Valley Hunt Drive, Phoenixville, PA, was sworn in, qualified and accepted as an expert in electrical engineering, specializing in wireless communications. He testified as to regulations for magnetic field safety, including the maximum number of channels and power and provided calculations. He provided a report dated 10/1/09, marked Exhibit 2. This report contained an analysis to provide an independent determination and certification, stating that the proposed facility will comply with the FCC exposure limits and guidelines for human exposure to radiofrequency electromagnetic fields. The antennas are 11' above the rooftop. If this application is approved, the FCC standards will be complied with. As for safety regarding electromagnetic exposure, the building is a shield. Mr. Randall asked if there was a formula to define the distance from the source at which the power diminishes. Mr. Dugan stated his report outlines this. There is far less power standing next to this than holding the phone to your ear. A hands-free set or blue-tooth device should be used if there is a concern about electromagnetic fields. The reason is the phone is transmitting

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a far lower power, but because of the close proximity to the human ear, the individual is at far greater risk for exposure. There were no further questions of the witness.

The Board took a recess from 9:45 to 10:00 p.m.

Kevin F. Donohue, President of TSS Wireless, Blauvelt, NY, and Gina Tooma, Vice President of TSS Wireless, Blauvelt, NY, were introduced and sworn in. They perform the site acquisitions as a real estate expert from all standpoints. Mr. Donohue gave an overview and history of their search including location and criteria. Ms. Tooma noted under the ordinance this was listed as a permitted use, which was one of the main driving factors that let them to this location. They wanted to comply with the ordinance. Questions by the Board followed.

Due to the lateness of the hour, 10:15 p.m., with 15 minutes remaining, Mr. Soloway inquired whether they could swear in their planner and just introduce photos, not taking testimony. William Masters, Jr., Licensed NJ Professional Planner, was sworn in and gave an overview of the Photo Exhibit, marked Exhibit 3. Mr. Masters described the photos in detail. Questions were deferred. The application would be continued at the 2/25/10 meeting.

A motion to allow the Chairman or Vice-Chairman to make the selection of the radio frequency expert at the reasonable cost of the applicant was made by Mr. Martin, seconded by Mr. Constantine and carried unanimously on roll call vote. Mr. von Bradsky expressed his opinion and concerns about the building having issues. Mr. Randall advised we would be hearing more testimony at the next meeting before putting forth a vote on this matter.

3. Westwood Board of Education/Ketler School - Third Avenue - Presentation by Jeff Zoeller, of the Westwood Board of Education and FKA Architects by Michael Bieri, a Westwood resident. There was a question as to where grades six and seven would be moved and how best to transform the Ketler Elementary School, currently housing the sixth and seventh grades, into a middle school in the future. This would be consistent with the Master Plan. They are presently doing locker renovations and transferring some classrooms into science laboratories. Also being created now is a bus loop for entering and exiting the

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facility. The plans by FKA Architects dated 12/16/09, with Site Plan dated 1/26/10 shows trees being removed and trees being planted. Mr. Bieri demonstrated the bus loop and traffic flow on the plan, adding a loop for bus traffic only. Here small trees would be taken down between the side walk and bus loop and would be replaced.

An advisory review was commenced with comments by the Board. Mr. Schluter called for any questions or comments. Mr. Raimondi asked in looking at the exit drive, whether the 30' tree next to it would be affected, and Mr. Zoeller said they were not making any changes near the tree. Mr. Raimondi also asked about drainage, which was explained. There is sandy soil, and they would address any drainage needs. Mr. Zoeller said they are in a growth cycle and expect a third more children, plus they may need a third bus. Mr. Martin asked if the material could be something else than macadam. Mr. Zoeller said they would look at it, since they are putting seepage pits in. Mr. Martin asked if they could reduce the amount of pavement. Instead of the four maple trees, he suggested a decorative wall with low shrubby to screen the macadam from the visual as you pass the school. Mr. Zoeller said this is the first time there is a bus to Ketler School. This is due to the increase in population. The roster includes children from Washington Township. The student number is increased by 120-130 due to the reconfiguration of the schools. Mr. Bonsignore expressed a concern with safety as the bus enters the school.

Mayor Birkner was concerned about the sight lines, particularly on the North side and requested more detail. He also asked and was concerned about the size of the busses they would use, and the response was standard size school busses. The Mayor also stated he would like to see more of a landscape design and was concerned about the existing trees and impact of new trees. There is also a Shade Tree Committee and an ordinance in place that states if you remove one tree you must plant two. He is concerned about the trees on the grassy area. Further, he would like to require the school to replant an additional number of trees. Mr. Zoeller stated there were four trees to replace the four taken out. Mr. Zoeller stated the Board of Education changed the name to Westwood Regional Middle School. Mayor Birkner went on record to request the school be renamed "Marine Sgt. Christopher R. Hrbeck Middle School".

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Mr. Raimondi was concerned about the turning radius of the bus. Mr. Zoeller stated they made sure it was wide enough to make the turns.

The matter was opened to the public and Peter Grefrath and Shade Tree representatives were present. A copy of the plan was given to him for the Shade Tree Committee. Mr. Grefrath made a couple of points, such as the macadam, root systems of very tall trees, and in restitution, they have ordinances on the books. He appreciates comments by the Board and wants to make sure the town is constantly repopulated with trees. Lastly, he applauded the use of bussing.

Chairman Linda Hayes of the Shade Tree Committee also commented and addressed the trees. She also stressed that they need large plans submitted so they can read them. The one tree's value to the Borough is \$6,500. These trees are owned by the Borough. Money should be held in escrow for trees around the construction site. There are ways to do this without harming the trees, and an expert needs to look at it. The Board needs to take four trees that were originally planted for the students and plant them elsewhere on the school grounds. Mr. Martin suggested planting them in a special grove established in another section.

Ginny Sauer, Committee Member, asked if the plans showed two trees being removed. Mr. Zoeller stated it was the most current plan, and one of the street trees was being removed from the plan. There were no further questions, and the matter was adjourned.

9. DISCUSSIONS: None

10. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 11:30 p.m.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Planning Board Secretary